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HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ

Writ Petition No.1878 of 2002

PETITIONER Minor Seema Sachdev, aged about 16 years Through : Father & Natural Guardian Kanhaiya Lal Sachdev, S/o Kishamal aged about 55 years, resident of Beladula, Sindhi Colony, Raigarh (C.G.)

VERSUS

RESPONDENT Secretary, Chhattisgarh Board of Secondary Education, Pentionbada, Raipur (C.G.)

Present: Shri Uttam Pandey, counsel for the petitioner.
Shri R.S. Patel, learned counsel for respondent.

ORAL ORDER
(Passed on 11th September, 2006)

The grievance of the petitioner is that in the High School Certificate Examination conducted in the year 2002, in the Group 'B' subjects, she solved all the questions and she was expecting first class marks in the examination, but, when the result was declared she was declared failed. In the circumstance, she sent a legal notice to the respondent to revalue the answer scripts in which she was declared failed, but, her request was not accepted by the respondents. So complaining, this writ petition was filed praying for a direction to the respondent 'to revalue / scrutinize the answer-books of the petitioner before her by able teachers and to direct the respondents to place concerned answer-scripts before this Court for scrutiny'. The writ petition is totally misconceived. It is well settled by the Judgment of the Supreme Court in the case of **Maharashtra State Board of Secondary**

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and Higher Secondary Education and another Vs. Paritosh Bhupesh Kumarsheth etc.[1] and several other judgments to follow that case that unless the rules and regulations governing the conduct of the examination provide for revaluation of answer books/scripts, the Court should not direct the examining bodies to revalue the answer-scripts. In other words, no candidates / students appearing for any examination has any vested legal right to insist that his / her answer-scripts / books should be revalued. Secondly, the assessment made by the petitioner herself about her performance is totally irrelevant to value her performance correctly and objectively by persons who are experts in the subject. Nowhere in the writ petition is it stated that there are any statutory rules or other regulations which enable the petitioner to seek revaluation of her answer scripts as a matter of right. In the return filed by the respondent, it is stated that the Regulations of Board of Secondary Education do not provide for revaluation of the answer scripts. In that view of the matter, the writ petition is dismissed. No costs.

Sd/-
Chief Justice

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1. A.I.R. 1984 SC 1543

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